

NOWELL AMOROSO KLEIN BIERMAN, P.A.
155 Polifly Road
Hackensack, NJ 07601
(201) 343-5001
Attorneys for Third-Party Defendant,
UPS Ground Freight, Inc. d/b/a UPS
Freight, f/k/a Overnite Transportation

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

HOLTEC INTERNATIONAL CORPORATION, a
Delaware Corporation,

Plaintiff,

Civil Action No.:
09-cv-274 (RMB) (AMD)

v.

PREFERRED METAL TECHNOLOGIES, INC.,
an Illinois Corporation,

Defendant.

PREFERRED METAL TECHNOLOGIES, INC.,

Third-Party Plaintiff,

**NOTICE OF MOTION FOR
SUMMARY JUDGMENT**

v.

UPS GROUND FREIGHT, INC., d/b/a UPS
FREIGHT, f/k/a OVERNITE
TRANSPORTATION,

Third-Party Defendant.

TO: Scott L. Haworth, Esq.
Haworth Coleman & Gerstman, LLC
45 Broadway, 21st Floor
New York, NY 10006
Attorneys for Defendant/Third-Party Plaintiff,
Preferred Metal Technologies, Inc.

ON NOTICE TO:

Steven Kudatzky Chartered
6000 Sagemore Drive
Suite 6301
Marlton, New Jersey 08053
Attention: Steven Kudatzky, Esq.
Attorneys for Plaintiff,
Holtec International Corporation


COUNSEL:

PLEASE TAKE NOTICE that on the December 20, 2010, or as soon thereafter as counsel may be heard or the Court may schedule, Third-Party Defendant, UPS Ground Freight, Inc. d/b/a UPS Freight, f/k/a Overnite Transportation ("Third-Party Defendant"), shall move for an Order for Summary Judgment pursuant to Fed. R. Civ. P. 56 and Loc. Civ. R. 56.1 to dismiss the Third-Party Complaint because the case is time barred before the United States District Court for the District of New Jersey, Mitchell H. Cohen United States Courthouse, 1 John F. Gerry Plaza, Camden, New Jersey 08101.

A brief in support of this motion and affidavit are filed concurrently and is incorporated herein. Oral argument is respectfully requested.

Respectfully submitted,

NOWELL AMOROSO
KLEIN BIERMAN, P.A.


S/ Thomas C. Martin
Thomas C. Martin, Esq.
155 Polifly Road
Hackensack, New Jersey 07601

Telephone: (201) 343-5001
Facsimile: (201) 343-5181
E-mail: tmartin@nakblaw.com

Attorney for
Third-Party Defendant,
UPS Ground Freight, Inc. d/b/a UPS
Freight, f/k/a
Overnite Transportation

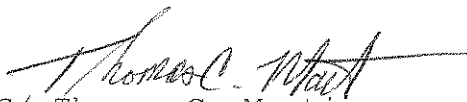
CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing has been served via United States mail, postage prepaid, this 17th__ day of November, 2010, upon:

Scott L. Haworth, Esq.
Haworth Coleman & Gerstman, LLC
45 Broadway, 21st Floor
New York, NY 10006
Attorneys for Defendant/Third-Party Plaintiff,
Preferred Metal Technologies, Inc.

- and -

Steven Kudatzky Chartered
6000 Sagemore Drive
Suite 6301
Marlton, New Jersey 08053
Attention: Steven Kudatzky, Esq.
Attorneys for Plaintiff,
Holtec International Corporation


S/ Thomas C. Martin
Thomas C. Martin